IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 18598 of 2007(L)

PETITIONER:

P.M. ABDUL RASACK,
S/O.P.M.MOIDEENKUTTY HAJI,PULLIYIL MADASSERI HOUSE
P.O. MELMURI, MALAPPURAM (MANAGER/SECRETARY),
MELMURI MUSLIM EDUCATIONAL TRUST, MELMURI).

BY ADV. SRI.ESM.KABEER
SRI.ABDUL MAJEED.N

RESPONDENT:

THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
GENERAL EDUCATION (F) DEPARTMENT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER,J

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W.P.(C).No.18598 of 2007

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Dated this the 19th day of June,2007

JUDGMENT

Petitioner is the Manager/Secretary of Melmuri Muslim Educational Trust at Melmuri in Malappuram district. He has been served with Ext.P3 notice directing him "to show cause directly" why recognition granted to his school should not be withdrawn. In fact by Ext.P3, the petitioner was directed to appear before the Additional Secretary in the General Education Department on June 5, 2007. When two other identical cases came up before this Court, the Government was directed to adjourn the hearing of the matter in order to enable the petitioners in those cases to file their statement of objections. Learned Advocate General had submitted that the hearing will be adjourned to a near suitable date. Therefore, those writ petitions were disposed of with appropriate directions.

2. Learned Government Pleader after getting instructions submits that the hearing in this case has been adjourned to July 2, 2007.

3. In the peculiar facts and circumstances, I am of the view that in this case also the Government can be directed to hear the petitioner on the same day. Learned counsel submitted that the petitioner has already submitted his statement of objection to Ext.P3 notice.

4. Therefore, the writ petition is disposed of with a direction to the respondent to hear the petitioner in the light of the objection statement filed by him and take a decision in the matter in accordance with law expeditiously. If for any reason petitioner cannot be heard on July 2, 2007, it will be open to the Government to adjourn the case to a convenient date. It shall be ensured that petitioner is afforded sufficient opportunity to be heard before any decision is taken pursuant to Ext.P3 notice.

Writ petition is disposed of with the above directions. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before the respondent for compliance.

A.K.BASHEER,JUDGE

dvs